04/25/2005 16:17 FAX 503 684 3245

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FACSIMILE COVER SHEET

Deliver to: Dilinh P. Nguyen, USPTO	Art Group:2814						
Facsimile No.: 703-872-9306	Date: April 25, 2005						
From: Mark C. Van Ness, Reg. No. 3	39,865						
Our Docket No.: 42P16889	Number of pages5_including this sheet.						
Application No.: 10/608,718	Filing Date: 6/27/2003						
Enclosed are the following documents:	Docket Due Date(s): 4/25/2005						
☐ Amendment: (pgs)	☐ Issue Fee Transmittal						
☐ Appeal Brief (pgs)	Notice of Appeal						
☐ Application:	☐ Petition for:						
(pgs) w/cover & abstract)	☐ Request for Continued Examination (RCE)						
☐ Assignment & Cover Sheet (pgs) ☐ Certificate of FacsImile ☐ Continued Prosecution Application (CPA) ☐ Declaration & POA (pgs) ☐ Drawings:sheets,figures	Reply Brief (pgs)						
Certificate of FacsImile	Request & Certification Under 35 USC 122(b)(2)(B)(i).						
☐ Continued Prosecution Application (CPA)	☐ Request to Rescind Previous Nonpublication Request						
☐ Declaration & POA (pgs)	☐ Response to Notice of Missing Parts & Formalities Letter						
☐ Drawings:sheets, figures	Response to Written OpInIon (pgs)						
Extension of Time:	☐ Terminal Disclaimer						
Fee Transmittal (in duplicate)	☐ Transmittal of Publication Fee Due						
□ Extension of Time: □ Fee Transmittal (in duplicate) □ IDS & PTO/SB/08 (pgs) □ Other	▼ Transmittal Letter						
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CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A) I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.							
(sank t	4/25/2005						

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Date

If you do not receive all the pages, or if there is any difficulty in receiving, please call: (503) 439-8778 and ask for Gayle Bekish.

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	10/60	08,718		
		Filing Date	June	27, 2003		
		First Named Inventor		ard D. Emery		
·		Art Unit	2814			
		Examiner Name	Dilin	h P. Nguyen		
Total Number of Pages In This Submission 4			Attorney Docket Number	i		
ENCLOSURES (check all that apply)						
Fee Transmittal	Form		Drawing(s)			After Allowance Communication to Group
Fee Attac	hed		Licensing-r	related Papers		Appeal Communication to Board of Appeals and Interferences
Amendment / Re	Amendment / Response Petition				Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
After Final Affidavits/declaration(s) Petition to 0 Provisional			Convert a Application		Proprietary Information	
			Power of A Change of	attorney, Revocation Correspondence Address		Status Letter
Express Abandonment Request Terminal C		isclaimer		Other Enclosure(s) (please identify below):		
Information Disclosure Statement Request for		Request for	r Refund			
☐ PTO/SB/08 ☐ CD		CD, Numbe	er of CD(s)			
Certified Copy of Document(s)	f Prior	ity				
Response to Mis incomplete Appl	ssing i	Parts/	Bomario			
Basic Filing Fee			Remarks			
Decla	aration.	/POA				
Response Parts und 1.52 or 1.	e to Mi ler 37 (53	ssing CFR				
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm Mark C. Van Ness, Reg. No. 39,865						
or Individual name	B	LAKELY S	OKOLOFF	TAYLOR & ZAFN	an i	I.I.P
Signature BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP						
Date						_
Date	A	pril 25, 2005) 			
CERTIFICATE OF MAILING/TRANSMISSION I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent are Trademark Office.						
Typed or printed na	ime	Gayle Bekish	1 ,		-	
Signature		COLL	P		Date	April 25, 2005

Based on PTO/SB/21 (04-04) as modified by Blakely, Scokoff, Taylor & Zafman (wir) 08/04/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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FEE TRANSMITTAL			Complete if Known						
for FY 2005 Patent fees ere subject to annual revision.			Application Number 10/608,718						
			Filling Date		une 27, 2003				
			First Named Inver		ichard D. Eme Filinh P. Nguye				
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METHOD (METHOD OF PAYMENT (check all that apply)								
Check C	☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify):								
Deposit Ace	Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP								
	For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)								
		indicated				, ,		for the filing fee	
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		2051		_	Surcharge - late filing fee or oath				
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2053	130	2053			Non-English specification				
1251	120	2251	60	Extension for reply within first month					
1252	450	2252	225	Extension for re	Extension for reply within second month				
1253	1,020	2253	510	Extension for reply within third month					
1254	1,590	2254	795	Extension for reply within fourth month					
1255	2,160	2255	1,080	Extension for reply within fifth month					
1401	500	2401		Notice of Appeal 500.00					
1402	500	2402		Filing a brief in support of an appeal					
1403	1,000	2403		Request for oral hearing					
1451	1,510	2451		•	Petition to institute a public use proceeding				
1460	130	2460			Petitions to the Commissioner				
1807	50	1807							
1806	180	1806		Processing fee under 37 CFR 1.17(q)					
1809	790	1809		Submission of Information Disclosure Stmt					
1810	790	2810		Filing a submission after final rejection (37 CFR § 1.129(a)) For each additional invention to be examined (37 CFR § 1.129(b))					
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SUBMITTED	ВҮ				Do alabastica Ata		Comp	lete (if applicable)	
Name (Print/Type) Mark C. Van Ness Registration No. (Altomet/Agent) 39,865 Telephone (503) 439-					(503) 439-8778				
Signature		1/1/1		NUN	11		Date	04/25/05	
Based on PTO/SB/17 (1) SEND TO: Commission	Based on PTO/SB/17 (12-04) as modified by Blakety, Sotokoff, Taylor & Zafman (wir) 12/15/2004. / SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1460								

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"					Application Numb		0/608,718		
		FY			Filing Date		me 27, 2003		
	Patent fees	are subject to	ennual revis	ion.	First Named Inve		ichard D. Em		
Applican	it claims sn	nall entity s	tatus. Se	ee 37 CFR 1.27.	Examiner Name		ilinh P. Nguy	en	
TOTAL A	MOUNT O	F PAYMEN	IT ;	(\$) 500.00	Art Unit Attorney Docket i		314 P16889		
					Auditicy Docket	10. 42	7 10007		
METHOD	OF PAY	MENT (cl	heck all t	that apply)					
Check	□ Check □ Credit card □ Money Order ☒ None □ Other (please identify):								
Deposit A	Account D	eposit Ac	count N	umber: <u>02-2666</u> I	Deposit Account N	Name: Blakely,	Sokoloff, Tayl	or & Zaf	man LLP
☐ Cha 【 X Cha	For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee Charge any additional fee(s) or underpayment of fee(s) Credit any overpayments under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.								
FEE CALCU	LATION				-				
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2053	130	2053	130	Non-English specification					
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1252	450	2252	225	Extension for reply within second month					
1253	1,020	2253		Extension for reply within third month					
1254	1,590	2254		Extension for re	• -			-	
1255	2,160	2255		Extension for reply within fifth month					
1401	500	2401		Notice of Appeal 500.00					
1402	500	2402		Filing a brief in support of an appeal					
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1809	790	1809		Submission of Information Disclosure Stmt					
				95 Filing a submission after final rejection (37 CFR § 1.129(a))					
1810	790	2810	395	For each addition	nal invention to	be examine	ed (37 CFR § 1.	.129(b))	
Other fee (specify)									
					SUBTOTA	L (2)		(\$)	500.00
SUBMITTE	DBY	1 1111					Comp	lete (if app	dicable)
Name (Рипитур		k C. Van	Ness		Registration No. (Attorney/Agent)	39,865	Telephone		439-8778
Signature /////////						Date		/25/05	

Date

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NOTICE OF APPEAL FROM THE EXAMINER TO			Docket Number (Optional)				
THE BOARD OF PATENT APPEALS AND INT	42P1688						
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.	In re Application of Richard D. Emery						
April_25, 2005	Application Number 10/608,718	er	Filed 06/27/2003				
Signature Cary P		N OF MICROELECTRONIC DEVIC					
Typed or printed name Gayle Bekish	Art Unit 2814	Examiner Dilinh P. Nguyen					
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.							
The fee for this Notice of Appeal is (37 CFR 1.17(b))			\$500.00				
Applicant claims small entity status under 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:							
A check in the amount of the fee is enclosed.	A check in the amount of the fee is enclosed.						
Payment by credit card. Form PTO-2038 is attached.							
The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of the fee transmittal.							
The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No.02-2666. I have enclosed a duplicate copy of the fee transmittal.							
A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) Is enclosed.							
WARNING: Information on this form may become included on this form. Provide credit card in	•						
I am the			1/1/1/11				
applicant/inventor.		1	Signature				
assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	M		an Ness, Reg. No. 39,865 bed or printed name				
☑ attorney or agent of record.			04/25/05				
attomey or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) Date							
NOTE: Signatures of all the inventors or assignees of record of the earlier if more than one signature is required, see below*.	entire interest or their repre	esentative	s) are required. Submit multiple forms				
"Total of forms are submitted.		-					

Based on PTO/SB/31 (08-03) as modified by Blakely, Solokoff, Taylor & Zafman (wtr) 09/11/2003. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450